



Comptroller General
of the United States
Washington, D.C. 20548

D. Ashen

Decision

Matter of: C3, Inc.
File: B-233742.11
Date: December 27, 1990

Richard J. Conway, Esq., and William F. Savarino, Esq., Dickstein, Shapiro & Morin, for the protester. David Ashen, Esq., and John Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest of proposed modification of contract is dismissed as a matter of contract administration within the discretion of the contracting agency where protester fails to allege that any modification would exceed the scope of the contract and therefore should have been the subject of a new procurement.

DECISION

C3, Inc. protests the proposed modification by the Department of the Air Force of contract No. F19628-88-R-0038, with Honeywell Federal Systems, Inc.

We dismiss the protest for failure to establish a valid basis for protest.

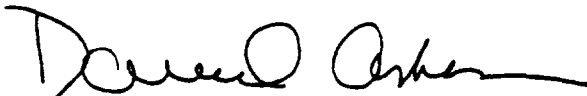
Our Office considers bid protest challenges to the award or proposed award of contracts. 31 U.S.C. § 3552 (1988). Therefore, we generally do not exercise jurisdiction to review matters of contract administration, which are within the discretion of the contracting agency and for review by a cognizant board of contract appeals or the U.S. Claims Court. See 4 C.F.R. § 21.3(m)(1) (1990); Specialty Plastics Prods., Inc., B-237545, Feb. 26, 1990, 90-1 CPD ¶ 228. The few exceptions to this rule include situations where it is alleged that a contract modification improperly exceeds the scope of the contract and therefore should have been the subject of a new procurement, CAD Language Sys., Inc., 68 Comp. Gen. 376 (1989), 89-1 CPD ¶ 364; where a protest alleges that the exercise of a contractor's option is contrary to applicable regulations, Bristol Elecs., Inc., B-193591, June 7, 1979, 79-1 CPD ¶ 403; or where an agency's basis for contract

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termination is that the contract was improperly awarded. Condotels, Inc.; Chest L. and Harvelene Lewis, B-225791; B-225791.2, June 30, 1987, 87-1 CPD ¶ 644. None of the exceptions applies in this case.

Although C3 claims the proposed modification is evidence of the noncompliance of Honeywell's proposal with the solicitation under which award was made, C3 cites no specific solicitation requirements with which Honeywell's proposal was unreasonably found to comply and which are not already the subject of prior protests by C3. In addition, while C3 maintains that the modification indicates that the agency's needs exceed the specifications, our Office generally will not consider contentions that specifications should be made more restrictive since the General Accounting Office's role in reviewing bid protests is to ensure that the statutory requirements for full and open competition are met, not to protect any interest a protester may have in more restrictive specifications. Petchem, Inc., B-228093, Sept. 8, 1987, 87-2 CPD ¶ 228.

The protest is dismissed for failure to establish a valid basis for protest.


for John M. Melody
Assistant General Counsel